

AGENDA: August 19, 2003

4.12

CATEGORY: Consent

DEPT.: City Manager

TITLE: Shoreline Amphitheatre—Nonconcert
Event Request

RECOMMENDATION

Approve a request by Clear Channel Entertainment (CCE) to allow a recreation vehicle sales event in the Shoreline Amphitheatre Parking Lot C/D from September 10, 2003 through September 14, 2003.

FISCAL IMPACT

The City receives a percentage of CCE's gross Amphitheatre receipts as rent for the facility. Revenue and other payments made to CCE from the sales event operator for allowing them to use the Amphitheatre's parking lot for the event would be included in the gross receipts calculation.

Additionally, the City will also receive its proportionate share of sales tax revenue generated from each sales transaction taking place at the sales event.

No estimates are currently available for anticipated rent or sales tax revenue that will be generated by this event.

BACKGROUND AND ANALYSIS

Section 5.01 of the Amphitheatre Lease and Agreement between the City and Shoreline Amphitheatre Partners (Attachment 1) prohibits the partnership and CCE from using the Amphitheatre site or its parking lots for any purpose other than the presentation of cultural or entertainment performances or other uses incidental or customarily related to such a primary use without the prior express written consent of the City.

CCE has submitted a request to the City (Attachment 2) to allow a recreation vehicle (RV) sales event in the Amphitheatre's Parking Lot C/D from September 10, 2003 through September 14, 2003. No concert events are scheduled at the Shoreline Amphitheatre during this five-day period. Dan Gamel RV Centers would be the event sponsor.

The sales event would operate between the hours of 10:00 a.m. and 8:00 p.m. No special equipment or structures (e.g., tents, booths, sound amplification equipment) requiring City approval are being requested for the event.

Initial estimates are that approximately 200 people may attend the sales event each day. No significant traffic impacts are expected because the additional vehicle trips into and out of the North Bayshore Area will be spread over the course of each 10-hour sales event day. The Police Department does not anticipate that additional department support services will be required.

Staff recommends that the City Council approve the proposed RV sales event subject to the following conditions:

1. CCE and/or Dan Gamel RV Centers securing and providing proof to the City that all required licenses and permits to conduct the sales event have been obtained prior to the event.
2. CCE presents the City with insurance documents indicating compliance with City-prescribed insurance coverage amounts along with endorsements naming the City of Mountain View as an additional insured.

ALTERNATIVES

1. Approve the proposed nonconcert use of the Amphitheatre parking lot with conditions other than those prescribed above.
2. Deny the request to allow an RV sales event in the Amphitheatre's Parking Lot C/D.

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PUBLIC NOTICING

In addition to distributing copies of this report in accordance with the City's standard agenda posting requirements, copies of the report have been sent to CCE and approximately 40 business owners/tenants located in the North Bayshore Area.

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Approved by:

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LF/6/CAM
601-08-19-03M-2^

Attachments: 1. Excerpt from Amphitheatre Lease and Agreement
2. Nonconcert Event Application